

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA

v.

ANTONIO LEE

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No. 3:09-cr-00240-15

Judge Nixon

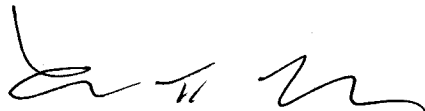
ORDER

Pending before the Court is Defendant Antonio Lee's Motion to Bifurcate ("Motion"), in which Mr. Lee requests the Court conduct a bifurcated proceeding as to the component elements of Count 11 of the Ninth Superseding Indictment or, in the alternative, direct the Government not to mention the nature of any underlying felony for which Mr. Lee was convicted. (Doc. No. 1565.) The Government filed a Response in which it states the parties have consulted and agreed that Mr. Lee will stipulate that he was a felon at the time of the offense charged in Count 11. (Doc. No. 1570.) Based on the stipulation, the Government has agreed it will not introduce the nature of Mr. Lee's prior convictions, unless Mr. Lee opens the door to such evidence, or it otherwise becomes relevant for impeachment or other reasons. (*Id.*)

In light of the agreement reached between the parties, the Motion is **TERMINATED AS MOOT**.

It is so ORDERED.

Entered this the 2nd day of January, 2013.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT